

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 29 and 34 are requested to be cancelled, claims 16 and 31-33 are currently being amended, and claims 35-37 are being added. Support for the claim amendments can be found, for example, in Figs. 9-15 and the associated description in the specification.

This amendment adds, changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 16-28, 31-33, and 35-37 are now pending in this application.

In the Office Action, claims 16-18, 20-24, 26, 28, and 29 were rejected under 35 U.S.C. § 102 as being anticipated by Chomier (U.S. Patent No. 6,858,276). Claim 16, as amended, recites that a manufacturing method of a cross member, which is configured to extend in a width direction of a vehicle body and which is configured to have both ends connected to side framework structures of the vehicle body, comprises the steps of forming, from a material, a base frame extending in the width direction of the vehicle body by means of resinous molding, the base frame being formed to have a substantially circular or oval cross-section, and forming a plurality of bosses on an outer circumferential surface of the base frame in different positions in an axial direction of the base frame within a limited range of the base frame and arranged so that each of the bosses is located in a different cross-section perpendicular to the axial direction of the base frame.

The method of claim 16 further comprises the steps of accommodating the limited range of the base frame in a molding die wherein the bosses each having a height capable of contacting with the inner surface of the molding die when the molding die is closed, and forming reinforcing frame parts on the limited range of the base frame by means of insert-molding, by filling up a cavity between the outer circumferential surface of the base frame and the inner surface of the molding die with molten resin which is resinous material belonging to a same material system as the material of the base frame in a manner such that the molten resin flows between each of the plurality of bosses in the cavity, thereby forming

reinforcing frame parts integral with the base frame, the reinforcing frame parts being molded to have substantially circular or oval cross-sections whereby the base frame is covered with the reinforcing frame parts.

In accordance with claim 16, the cavity is filled up with the molten resin and each of the bosses is covered with the molten resin. In addition, the base frame does not move in the diametral direction (in other words, in the thickness direction) during the inpour of the molten resin into the molding die. As a result, it is possible to provide the reinforce frame part with a substantial constant thickness in the circumferential direction, as described, for example, on page 16, lines 18-22, of the specification. It is also possible to enhance both torsion rigidity and flexural rigidity of the base frame against the reinforced frame part, as described, for example, on page 16, line 25, to page 17, line 1, of the specification.

Chomier discloses an article comprising a rigid element 1 of rectilinear elongate shape and a part made of thermoplastic material 2 having a shape that is the conjugate of that of the rigid element 1 and having a hollow 4 (col. 6, lines 10-20). As shown in Fig. 3, the article can also comprise reinforcing ribs 20, and the rigid element 1 and the part of thermoplastic material 2 can be secured by thermoplastic material protruding 21 through an orifice pierced in the rigid element 1 (col. 6, lines 59-64).

In contrast to claim 1, Chomier fails to disclose or suggest forming a base frame to have a substantially circular or oval cross-section. Rather, as shown in Figs. 1-3, Chomier only discloses a base frame with a rectilinear cross-section, not a substantially circular or oval cross-section.

Chomier also fails to disclose or suggest forming a plurality of bosses on an outer circumferential surface of the base frame in different positions in an axial direction of the base frame within a limited range of the base frame and arranged so that each of the bosses is located in a different cross-section perpendicular to the axial direction of the base frame. Rather, as plainly shown in Fig. 3, there is only a single boss 21 formed on an outer surface of the rigid element 1. Moreover, since only a single boss is shown, Chomier clearly fails to disclose or suggest forming plural bosses in different positions in an axial direction of the base frame so that each of the bosses is located in a different cross-section.

Chomier similarly fails to disclose or suggest accommodating the limited range of the base frame in a molding die wherein the bosses each having a height capable of contacting

with the inner surface of the molding die when the molding die is closed. Since the single boss 21 is formed of the same material as the part of thermoplastic material 2 through a pierce orifice of the rigid element 1, it is clear that the boss 21 is not formed to contact an inner surface of the molding die when closed. Rather, Chomier specifically discloses that the boss 21 is formed to secure the thermoplastic material 2 with the rigid element 1 (col. 6, lines 62-65).

Accordingly, for all of these reasons, claim 16 is patentably distinguishable from Chomier. Claims 17-18, 20-24, 26, and 28 are also patentably distinguishable from Chomier by virtue of their dependence from claim 16, as well as their additional recitations.

In addition, claims 19 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chomier in view of Hier et al. (U.S. Patent No. 6,568,707). Even if combinable, Hier fails to cure the deficiencies of Chomier. Like Chomier, Hier fails to disclose or suggest, for example, forming a plurality of bosses on an outer circumferential surface of the base frame in different positions in an axial direction of the base frame within a limited range of the base frame and arranged so that each of the bosses is located in a different cross-section perpendicular to the axial direction of the base frame. Hier, in fact, does not disclose any bosses at all formed on the base frame. Accordingly, claim 19 is patentably distinguishable from the combination of Chomier and Hier.

Lastly, claims 25, 27, and 31-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chomier. Each of these claims is patentably distinguishable from Chomier by virtue of their dependence from claim 16 by virtue of its dependence from claim 16.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are

needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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